IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED IN OPEN COURT
DATE: 8-26-2010
TIME: 12:35 pm
INITIALS: T.d.

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
) Criminal No. 2:08-cr-20378-STA
)
BRIDGES MCRAE,) 10-20422
)
Defendant.)

FILED IN OPEN COURT
DATE: 12-13-2010
TIME: 1:53 pm
INITIALS: T.d.

PLEA AGREEMENT

The full and complete plea is as follows:

The following constitutes the Plea Agreement reached between the United States, represented by EDWARD L. STANTON, III, United States Attorney for the Western District of Tennessee, STEPHEN C. PARKER, Assistant United States Attorney, THOMAS E. PEREZ, Assistant Attorney General for the Civil Rights Division, and JONATHAN T. SKRMETTI, trial attorney, and the Defendant, BRIDGES MCRAE, represented by WILLIAM MASSEY, defense counsel. The parties enter into the following Plea Agreement pursuant to Rule 11(c)(1)(c) of the Federal Rules of Criminal Procedure. It being the intention of the parties that the Court may accept or reject this agreement immediately or after having had an opportunity to review the pre-sentence report, but may not modify the agreement. Except with respect to any non-binding recommendations to be made by the United States, if the Court rejects the agreement either party may withdraw from the agreement.

BRIDGES MCRAE agrees that he will enter a voluntary plea of guilty to count 1 of the indictment to a violation of Violation of Civil Rights resulting in Bodily Injury in violation of Title 18, United States Code, Section 242.

BRIDGES MCRAE agrees that subject to approval by the Department of Justice Tax Division he will plead guilty to a one count information for Tax Evasion in violation of Title 26, United States Code, Section 7201.

The parties agree that the Defendant will be sentenced on both cases at the same proceeding.

The parties agree that the Defendant may remain on pretrial release prior to sentencing.

The parties agree that the Court will impose a term of 24 months imprisonment.

Given the facts in the possession of the United States at the time of the writing of this agreement, the United States does not oppose the Defendant receiving acceptance of responsibility credit pursuant to U.S.S.G. Section 3E1.1. The defendant understands that if the United States receives information between the signing of this agreement and the time of the sentencing that the Defendant has previously engaged in, or if he engages in the future, in conduct inconsistent with the acceptance of responsibility, including, but not limited to, participation of any additional criminal activities between now and the time of sentencing, this position could change. Further, the Defendant understands that whether or not acceptance of responsibility credit pursuant to Section 3E1.1 is granted is a matter to be determined by the District Court. Failure of the District Court to grant acceptance of responsibility credit is not a basis for BRIDGES MCRAE to withdraw his guilty plea.

The United States will move the Court to recommend the Defendant be incarcerated at a Federal Prison Camp. However, the Defendant understands the location of incarceration is a matter totally within the discretion of the Bureau of Prisons and that neither the Court nor the United States Attorney have the ability to promise a specific facility designation.

The Defendant understands that Title 18, United States Code Section 3742 gives him the right to appeal the sentence imposed by the Court. Acknowledging this, the Defendant knowingly and voluntarily waives his right to appeal any sentence imposed by the Court under the terms of this plea agreement. This waiver is made in exchange for the concessions made by the United States in this Plea Agreement. The Defendant also waives right to file a petition under Title 28, United States Code, Section 2255. The waiver in this paragraph does not apply to claims relating to prosecutorial misconduct and ineffective assistance of counsel.

The Defendant understands and agrees that the special assessment is due and payable to the United States District Court office immediately following the defendant's sentencing.

BRIDGES MCRAE agrees that this plea agreement constitutes the entire agreement between himself and the United States and that no threats have been made to induce him to plead guilty. By signing this document, BRIDGES MCRAE acknowledges that he has read this agreement, has discussed it with his attorney and understands it.

FOR THE UNITED STATES:

EDWARD L. STANTON, III
UNITED STATES ATTORNEY

STEPHEN C. PARKER
Assistant United States Attorney
800 Federal Office Building
167 N. Main Street
Memphis, TN 38103

8-25-10
Date

THOMAS E. PEREZ
ASSISTANT ATTORNEY GENERAL

JONATHAN T. SKRMETTI
Trial Attorney
Civil Rights Division, U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

8/26/10
Date

WILLIAM MASSEY
Defense Counsel

8-26-10
Date

BRIDGES MCRAE
Defendant

8-26-10
Date